Docket No.: 064965-0107

## ATENT A

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

Philip KELLER, et al.

Application No.: 09/336,70

Filed: June 21, 1999

Customer Number: 20277

Confirmation Number: 7973

Tech Center Art Unit: 2644

Examiner: J. F. Harold

For: SELF-CALIBRATION PROCEDURE IN PHYSICAL LAYER TRANSCEIVER FOR

SEP 1 9 2005

HOME TELEPHONE WIRE NETWORK

## NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated June 7, 2005 of the

Primary Examiner finally rejecting claims 1, 2 and 5-11.

Appeal Fee: \$\\$500.00

Not required (fee paid in prior appeal in this application).

Charge to Deposit Account No. 500417.

Check Enclosed.

09/14/2005 SZEWDIE1 00000076 500417 09336709

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500.00 DA

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Alexander V. Yampolsky Registration No. 36,324

Please recognize our Customer No. 20277 as our correspondence address.

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Date: September 13, 2005